

REMARKS

§112 rejections

Claims 9, 20 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claims 9, 20 and 29, the Examiner states:

[I]t is unclear how the systems can operate in anything other than a multicarrier mode since the parent claims recite that the sync messages are received on a particular frequency and the receiver also receives portions of a multi-carrier signal. This could only happen if the system is in a multi-carrier mode and not in a single carrier mode.

Applicant respectfully disagrees. The parent claim 8 includes the following limitations:

a first receiver subsystem for receiving said sync channel message on single carrier frequency and for providing said sync carrier message to said control processor *and* for receiving a first portion of a multi-carrier signal; and

at least one additional receiver subsystem for receiving additional portions of said multi-carrier signal.

The first receiver subsystem allows the mobile station to operate in single carrier mode as well as multi-carrier mode. Although, the first receiver subsystem allows the mobile station to operate in multi-carrier mode as well as single carrier mode does not mean that the first receiver subsystem must operate in multi-carrier mode only.

Even though the additional receiver subsystem is for receiving a multi-carrier signal does not mean that the mobile station can only be in multi-carrier mode.

Thus, the mobile station can operate in both single carrier mode and multi-carrier mode. The §112 rejection of claim 9 is overcome. The same argument can be applied to claims 20 and 29; therefore the §112 rejection of claims 20 and 29 are overcome.

§102 & §103 rejections

Claims 1-6, 12-17 and 21-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Bonnerot (USPN 4,281,408), hereafter referred to as Bonnerot.

Claims 7-11, 18-20 and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonnerot.

Independent claims 1, 8, 12, 19, 21, and 28 refer to a sync message. The Examiner cites a pilot signal for meeting the "sync message" language of the claims. A pilot signal is not a sync message.

From the specification:

The pilot channel is used to provide a phase reference for coherent demodulation of the other channels by mobile stations within the coverage area of the base station. The sync channel carries overhead information such as timing information, pilot PN offset information and other information that allows the reception of the other overhead channels. Page 2, lines 2-8.

In addition to the reference Bonnerot not disclosing the sync message limitation, the reference does not disclose a first transmission subsystem and the additional transmission subsystem as required by the claims. Bonnerot discloses a system, but does not disclose more than one system, wherein each subsystem transmits different components.

Thus, Bonnerot does not disclose the claimed invention and the §102 rejections and §103 rejections are overcome. Thus, the independent claims and their dependent claims are patentable.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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